

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

ALEXSAM, INC.

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Plaintiff,

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Civil Action No. 2:10-cv-00093

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v.

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BEST BUY STORES LP, BARNES &
NOBLE, INC., BARNES & NOBLE
MARKETING SERVICES CORP.,
THE GAP, INC., DIRECT CONSUMER
SERVICES, LLC, THE HOME DEPOT,
INC., HOME DEPOT INCENTIVES, INC.,
J.C. PENNEY COMPANY, INC.,
J.C. PENNEY CORPORATION, INC.,
MCDONALD'S CORPORATION,
P2W, INC. NFP, TOYS "R" US, INC., AND
TRU-SVC, LLC.,

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Defendants.

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ORDER

It is hereby ordered that the following schedule of deadlines is in effect until further order of this Court:

Pretrial Conference and trial scheduling	March 4, 2013 10:00 a.m. in Texarkana, Texas in fourth floor courtroom
Deadline for parties to exchange exhibits	March 1, 2013
Replies in support of Dispositive Motions	February 12, 2013
Response to Dispositive Motions (including Daubert motions) Responses to dispositive motions filed prior to the dispositive motion deadline, including Daubert Motions, shall be due in accordance with Local Rule CV-7(e). Motions for Summary Judgment shall comply with Local Rule CV56	February 5, 2013
Responses to Motions in <i>Limine</i> Due	February 1, 2013
Deadline to File Pretrial Materials: (1) Joint Pretrial Order, (2) Witness List, (3) Exhibit List and Deposition Testimony Designation, (4) Joint Proposed Jury Instructions and Form of the Verdict, (5) Proposed Findings of Fact and Conclusions of Law, (6) Voir Dire, and (7) Trial Briefs.	February 1, 2013
Deadline for parties to meet and confer on objections	January 25, 2013
Deadline for responses to objections to exhibits and deposition designations	January 21, 2013
Motions in <i>Limine</i> Due The parties are ordered to meet and confer on their respective motions in limine and advise the court of any agreements in this regard by 3:00 p.m. the business day before the pretrial conference. The parties shall limit their motions in limine to those issues which, if improperly introduced into the trial of the case would be so prejudicial that the court could not alleviate the prejudice with appropriate instruction(s).	January 18, 2013

Deadline for parties to exchange objections to pretrial disclosures	January 18, 2013
Deadline for filing Dispositive Motions and any other motions that may require a hearing (including Daubert motions)	January 14, 2013
Notice of Request for Daily Transcript or Real Time Reporting of Court Proceedings. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and e-mail the Court Reporter, Jan Mason at Jan_Mason@txed.uscourts.gov	January 4, 2013
Deadline for parties to exchange pretrial disclosures	January 4, 2013
Mediation to be completed	November 30, 2012
Deadline for filing Opening Letter Briefs seeking leave to file Dispositive Motions and any other motions that may require a hearing (including Daubert motions)	November 15, 2012
Discovery Deadline	November 15, 2012
Deadline to request in writing modification to the trial date	November 14, 2012
Designate Rebuttal Expert Witnesses other than claim construction Rebuttal Expert Witness Reports due. Refer to Discovery Order for required information	October 23, 2012
Party with the burden of proof to designate Expert Witnesses other than claim construction Expert Witness Reports due for party with burden of proof to designate (other than claim construction). Refer to Discovery Order for required information	September 19, 2012

SIGNED this 15th day of June, 2012.


CAROLINE M. CRAVEN
UNITED STATES MAGISTRATE JUDGE